

Personnel Administration

Qualitative Retention Beyond Age 64 and Mandatory Removal Date

FOR THE GOVERNOR:

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History. This regulation replaces CA SMR Reg 600-10A dated 1 October 2001 and all Personnel Policy Bulletins on this subject.

Summary. The regulation prescribes the duties, responsibilities, and policies for individuals of the California State Military Reserve (CA SMR) related to Qualitative Retention and Mandatory

Removal from the CA SMR based upon determination of biennial Qualitative Boards or reaching Mandatory Removal Date.

Applicability. This document applies to all individuals members and organizations of the CA SMR.

Supplementation. Supplementation of this regulation is prohibited without the prior approval of Director of Personnel, CA SMR.

Suggested improvement. The proponent for this regulation is the Director of Personnel, CA SMR. Users are invited to send comments, suggestions, and improvements directly to Headquarters, California State Military Reserve, Attn: CASR-P, 9800 Goethe Road, Post Office Box 269101, Sacramento, CA 95826-9101.

Distribution. Distribution of this regulation is SMR – A

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1. General

a. When a member of the CA SMR reaches the statutory Mandatory Removal Date (MRD) of 70 years of age, that individual will be removed from active CA SMR service on the drill date nearest his or her 70th birthday. Exceptions to this policy are outlined in a. (2) below:

(1) All CA SMR members, upon reaching their 64th birthday, are subject to a formal review to determine their suitability for further active CA SMR service. This review will be conducted biennially by the CA SMR Qualitative Retention Board (QRB) until the individual reaches their 70th birthday. The board will review each individual's physical condition, performance of duty, job assignment and its impact on support to the California Army National Guard (CAARNG). Individuals who are retained past 64 years of age must occupy a valid TDA position within the CA SMR that is commensurate with their grade / rank.

(2) The intent of this regulation pertains solely to members of the CA SMR and their fitness for retention past the age of 64 and their removal from service at age 70. The Adjutant General, California National Guard, reserves the right to authorize the services of retired CA SMR members who have passed their 70th Birthday. The Adjutant General may authorize CA SMR personnel to serve on State Active Duty (paid or unpaid) when the needs of the State of California and / or the Military Department would benefit from such occasional and limited service. *The Adjutant General shall be the sole authority in determining when circumstances warrant the use of retired personnel, how they shall be utilized, and for what period they will serve.*

(3) Individuals who do not submit a Retention Application within the required time period will be separated effective 1 July of the year the QRB meets.

(4) When such retired members of the CA SMR are placed on limited duty service, they will append their signatures on any official documents with the post nominal appellation – CSMR (Ret).

Example:

John W. Dow
MAJ, CSMR (Ret)

2. Biennial Qualitative Retention Board Procedures.

a. The process of Qualitative Review will consist of convening a Biennial Qualitative Retention Board (QRB) at Headquarters, CA SMR during the spring of each year. The board will consider for retention all members of the CA SMR that submit retention packets to the board. Each CA SMR member who will reach the ages of 64, 66 or 68 during any year must submit a retention packet by the suspension date as announce by the Board if they desire to remain with the CA SMR until their 70th birthday. Application packets received after the suspense date or received incomplete will be returned through the Chain of Command without action and will not be reviewed by the QRB.

b. The QRB Announcement will specify, at a minimum, the following documentation to be included as part of the Application of Retention Package:

(1) A Form 10, with TDA position, SSN and other information completed.

(2) A written request from the individual's immediate unit commander. This request must include a concise explanation of the duties and nature of service currently performed by the individual applying for retention. It must further explain how the individual contributes to the accomplishment of the missions of both the CA SMR and the CAARNG. Additionally, commanders must certify that the individual meets current height and weight standards, as published in CA SMR Reg 600-9.

(3) A written request from the individual expressing their desire to remain in an active status in the CA SMR. An explanation of how their retention will further the accomplishment of the missions of both the CA SMR and the CAARNG, to include the total number of hours of service they performed in the last two years.

(4) A current physician's statement, signed by a CA SMR or CAARNG Medical Doctor or Physicians Assistant not earlier the 1 January of the calendar year that the QRB meets, certifying that the individual is in good health, and physically able to perform all normal duties expected for the position occupied.

(5) A full length color photograph, in Class B uniform, with all authorized ribbons and badges, taken not earlier than 1 January of the calendar year that the QRB meets;

(6) A signed CA SMR Letter of Agreement – Biennial Retention Review as contained in Appendix A herein.

3. Disposition of Packets.

- a.* Application packets received from individuals assigned to Headquarters, California State Military Reserve will use their Directorate or Section Chief in place of their immediate unit commander, and the Chief of Staff, State Military Reserve will endorse the application in place of the MSC Commander.
- b.* QRB results will be forwarded to the Commanding General, CA SMR / DAG-SDF for review and endorsement.

4. Results.

- a.* For approved Retention Applications, the Director of Personnel, State Military Reserve, or his designee, will sign the bottom portion of the CA SMR Letter of Agreement. A copy of the letter will be sent through the chain of command to the individual applying for retention. The original signed CA SMR Letter of Agreement will be retained in the individual Official Personnel File at HQ, CA SMR.
- b.* For disapproved Retention Applications, the individual's chain of command will be notified in writing by the Director of Personnel, State Military Reserve and the individual will be discharged or retired, as appropriate, from state service effective the year the QRB meets.
- c.* The appeal process for disapproved Retention Applications is via the appropriate chain of command, to the Commanding General, CA SMR / DAG-SMR.

5. Qualitative Review Board.

- a.* The CA SMR QRB will meet as required on orders and will consist of at least three senior CA SMR officers and at least one senior CAARNG officer, for a total of five personnel. The CA SMR Director of Personnel, or his designee, will act as a non-voting moderator / recorder and will provide administrative support to the board members and prepare the board report to be sent to the Commanding General, CA SMR / DAG-SMR.

6. Responsibilities.

- a.* Unit and MSC Commanders at all levels will implement a proactive, planned, and concerted effort to ensure all individuals who desire to continue their service in the CA SMR are kept informed of the requirements of this regulation. Commanders are directed to render any necessary assistance in preparing Retention Applications packages and assisting in submitting them within the required time limitations.

7. Approving Authority

- a.* The final authority for any service, active or retired by CA SMR members is The Adjutant General of the State of California.

Appendix A

LETTER OF AGREEMENT – BIENNIAL RETENTION REVIEW

THRU: Director of Personnel, HQ, CA SMR

TO: Commander General, CA SMR

FROM: _____ SSN: _____

1. I understand and agree that I am being reviewed for continued active service in the California State Military Reserve per CA SMR Reg 600-10 for the convenience of the California National Guard and the State of California.

2. I further understand and agree that should I develop any medical condition(s) during the 24 month period following this review which would reasonably exclude me from serving in the CA SMR, or would restrict my ability to perform my normal CA SMR duties or place the Military Department of the State of California at risk with respect to any potential medical liability, to myself or the health and safety of others, that I will notify the Adjutant General, through my chain of command, in writing of such conditions(s) within 15 days of their disclosure to me by competent medical authority.

3. I further understand and agree that if I am approved for active service with any imposed restrictions (such as wear of the CA SMR uniform or restricted duties) listed below, I will abide by these restriction, without exception. I understand that I may be immediately separated for cause if I violate any of these restrictions.

Signed:

Print Name

Grade

Date

Unit of Assignment

FOR HQ, CA SMR USE ONLY

Date: _____

Approved: _____
For The Adjutant General

Individual is extended to _____ with the following restrictions: